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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 January 2000]

GE.00-10610 (E)

1. The Commission of Churches on International Affairs (CCIA) of the World Council of Churches (WCC) commends the United Nations Commission on Human Rights for its call, made at the special session held at Geneva in September 1999, upon the Secretary-General to establish an international commission of enquiry to gather information on possible human rights violations committed in East Timor. The action was timely. During that period, CCIA received regular reports of an increase in human rights violation by the militias and the Indonesian security forces. Just before the special session was convened, the United Nations Commissioner for Human Rights said: "*There is overwhelming evidence that East Timor has seen a deliberate, vicious and systematic campaign of gross violations of human rights*". The extensive violence in East Timor could not have been possible without the connivance of the Indonesian military (TNI). The international community has witnessed with concern the developments in East Timor and now eagerly awaits the report of the International Commission of Inquiry as well as of the other United Nations mechanisms.

2. CCIA has a long history of involvement and concern for human rights not only in East Timor but also in other parts of Indonesia as well. At the Vth WCC Assembly held in Nairobi in 1975, around the time the Indonesian forces invaded East Timor, the World Council of Churches expressed its deep concern over the deterioration of the situation in the territory. It reaffirmed the rights of all people to self-determination. This concern has continued. The Council, together with its member Churches, has monitored the situation, not only in East Timor but also in Irian Jaya and Aceh.

3. In the aftermath of the Dili massacre WCC sponsored an international ecumenical delegation to visit East Timor in April 1992. The visit took place at the invitation of its members, Gereja Kristen di Timor, Timur (GKTT) and the Communion of Churches in Indonesia (PGI). The delegation met, amongst others, with officials of the Indonesian Government, representatives of the NGO community in East Timor and Msgr. Carlos Ximenes Belo, the Apostolic Ambassador of the diocese of Dili. They visited Santa Cruz cemetery to pay homage to the East Timorese killed in this tragedy. In their report, titled "Not by Bread Alone", the delegation observed: "... team members could not escape the impression that pervasive military control over the administrative, social, economic and political life constitutes a serious source of tension and longstanding resentment". They therefore recommended "that the churches in East Timor be encouraged to facilitate legal and other assistance for the victims of human rights violation as well as provide pastoral care and concern for the families of victims". Over the years CCIA has continued to work with the Churches in Indonesia in relation to the above concerns and has provided support and assistance to victims of human rights violations and their families.

4. The developments in Indonesia since the May 1998 riots in Jakarta, in which 1,198 people lost their lives, including 27 killed by gunfire, and 168 women were reported to have been raped, have been a major concern of the Churches. During the past year, the situation has deteriorated in Aceh and Irian Jaya, apart from the developments that have taken place in East Timor. In the post-referendum period a small minority supported by TNI organized militias in the 13 provinces of East Timor. They played havoc with the lives and property of the people - killing, burning and forcing people to flee for safety to the hills and to West Timor. To date more than half the population of 800,000 have not returned owing to fear. A large number remain in the hills, while some have sought sanctuary in different parts of Indonesia.

Over 200,000 are in the camps of West Timor where conditions remain poor. Out of the 28 pastors of GKTT Church, the whereabouts of 24 are not known. The church building and property have been destroyed.

5. CCIA is also concerned at the upsurge in communal violence in the country. According to reports of the Indonesian Christian Communication Forum an average of 14 churches were destroyed every year between 1967 and 1998; destruction was stepped up with 87 churches being the victims of arson during the first eight months of former President Habibie's term of office. Since mid-January 1999 there have been intermittent waves of destruction in the port city of Ambon where Christians and Muslims have long lived side by side in peace. The situation continues to be tense, with regular reports of clashes between Muslims and Christians and burning of places of worship. Recently, the chief spokesman for TNI, Major General Sudrajat, said that the military was considering declaring a state of civil emergency in the devastated Ambon island chain. He admitted that some troops had taken sides in religious clashes and went on to add that the Governor of Moluccas had requested the central Government to declare the status, one stage down from martial law. According to member Churches of the Council over 2,000 people have been killed, 8,000 Christians rendered homeless and 54 churches destroyed since the rioting began in the province. Throughout the crisis, TNI personnel have sided with the Muslims. This was brought to the attention of the Government, but to date no action has been taken. There have been reports that sections of TNI were instrumental in fanning the fires of the communal violence that resulted in grave and serious human rights violations. The Government to date has failed to bring the culprits responsible before the courts of law.

6. The situation of the ethnic Chinese minority in Indonesia is of concern to the members of the World Council of Churches. Since the May 1998 riots in Jakarta the Chinese community has lived in fear. It has not recovered from the trauma of seeing mobs rampage through the streets, burning buildings around them, with rumours that more was to come. Though the Indonesian Constitution guarantees equal rights to all citizens regardless of position/rank, religion or background, the New Order Government that captured power in the 1960s systematically suppressed the civil and political rights of the Chinese ethnic community. These discriminatory policies and practices persist, forcing the ethnic Chinese community to live in an environment of uncertainty and insecurity. Despite government pledges to bring to trial those responsible for having committed atrocities against the Chinese minority, no one has been brought to justice and punished.

7. In Irian Jaya, during the last 35 years over 500,000 Irianese have been killed. With its policy of transmigration and forced assimilation, the government has perpetuated injustice, oppression and exploitation of the people in Irian Jaya. As a result of the Government's programme of transmigration, undertaken in conjunction with the integration process that still goes on, more than 600,000 Indonesians have been relocated from other parts of Indonesia since 1964, further weakening the proportional strength of Irian Jaya's indigenous population. As in East Timor the army dominates the civil, political and economic life of the region. It has brutalized the people and has indulged in gross human rights violations as a consequence of which the majority of the people now demand the right to self-determination.

8. As a result of Indonesia's integration and the associated transmigration programme for Irian Jaya there has been a comprehensive record of human rights violations - from the denial of

economic, cultural and religious rights through to detention without trial, torture and extrajudicial killings. At the economic and cultural level the effective confiscation of vast tracks of land for forestry, palm oil plantations and mining has not only denied indigenous landowners the right to use their traditional cropping practices, it has also deprived them of their economic base.

9. The situation in Aceh continues to be grave. Over the years Acehenese have been subjected to regular and systematit abuse by the military. The practices of harassment, torture and detention without trial are matters of daily occurrence. There is no remedy against the system as the military remains the sole arbiter of people's rights.

10. The human rights situation in Indonesia can be improved if there is a resolution of the present ongoing conflicts. To achieve this the Government of Indonesia must undertake the following:

- Restoration of the rule of law by setting up an independent judicial system;
- Apprehension and trial of those involved in ethnic and communal violence;
- Enactment of legislation giving greater autonomy to the provinces;
- Withdrawal of the military from Aceh and Irian Jaya;
- Accountability of military officers responsible for human rights abuses;
- Encouraging interreligious dialogue for conflict resolution and the prevention of human rights violation in Ambon.